

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-429977-001 SE

08/19/2014

HONORABLE KAREN A. MULLINS

CLERK OF THE COURT
N. McKinney
Deputy

STATE OF ARIZONA

JORDAN A SMITH

v.

RONALD EUGENE SHERMAN (001)
DOB: 3/22/1955

TRENT R BUCKALLEW

APO-PLEAS-CCC
APO-SENTENCINGS-SE
APPEALS-CCC
AZ DOC
DISPOSITION CLERK-CSC
EDM-QC-CCC
RFR

SENTENCE - IMPRISONMENT AND PROBATION

10:16 a.m.

Courtroom CCB 1303

| | |
|-----------------------|-----------------|
| State's Attorney: | Jordan Smith |
| Defendant's Attorney: | Trent Buckallew |
| Defendant: | Present |

Court Reporter, Chrisitne Coaly, is present.

A record of the proceeding is also made by audio and/or videotape.

IT IS ORDERED nunc pro tunc, amending the plea agreement filed 7/17/2014. The correct count should be Count 6 in place of and instead of Count 5.

FILED: Amended Plea Agreement

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-429977-001 SE

08/19/2014

The balance of the plea agreement remains in full force and effect.

Count(s) 2 and 6: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 2 (as amended) Aggravated Assault

Class 3 Felony

A.R.S. § 13-1203, 13-1204, 13-610, 13-701, 13-702, 13-801

Date of Offense: 6/23/2013

Non Dangerous - Non Repetitive

OFFENSE: Count 6 Production of Marijuana

Class 5 Felony

A.R.S. § 13-2401, 13-3405, 13-3418, 13-3423, 13-901.01(B), 13-610, 13-701, 13-702,
13-801

Date of Offense: 6/26/2013

Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 6: 4.5 year(s) from 8/19/2014

Presentence Incarceration Credit: 245 day(s)

Presumptive

IT IS ORDERED the Defendant shall pay through the Clerk of the Superior Court:

FINE: Count 6 - Total amount of \$1,372.50, which includes surcharges of 83%.

ASSESSMENTS:

PENALTY ASSESSMENT - A.R.S. § 12-116.04: Count 6 - \$13.00.

Investigative Agency:

Mesa Police Department

Count 6: Technical Registration Fund in the amount of \$15.00.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-429977-001 SE

08/19/2014

Community Supervision: Count 6 - Waived pursuant to A.R.S. § 13-603(K), due to the term of probation in Count 2.

In the event the Defendant is released by the Department of Corrections on a temporary release basis, and a term of Community Supervision has been waived, the length of probation shall be extended to include the time of Defendant's temporary release, pursuant to A.R.S. §13-901(B).

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the Defendant on probation for:

Count 2 Probation Term: 2 years

Upon absolute discharge from prison for a separate offense in Count 6.

Conditions of probation include the following:

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8 - Request and obtain written permission of the APD prior to leaving the state.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 2 - \$65.00 per month.

PROBATION SURCHARGE: Count 1 - \$20.00.

Payment to commence on a date to be determined and is due on the same day of each month thereafter until paid in full.

Defendant shall pay restitution in an amount not to exceed \$200,000.00 to all victims for economic losses as described in Mesa PD Report DR #2013-1770541, and any related supplements. The Court retains jurisdiction over restitution until completion of probation. Defendant's presence is waived for any future restitution hearing.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-429977-001 SE

08/19/2014

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail cforesponse@mail.maricopa.gov. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Condition 19: Not have any contact with the victim(s) in any form, unless approved in writing by the APD.

Condition 21 - Abide by the special conditions of probation as noted on the attachment to the Uniform Conditions of Supervised Probation as follows:

Mental Health

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion to Dismiss the following: Allegation of Dangerousness as to Count 2, and Counts 1, 3, 4, 5, 7.

Count(s) 6: IT IS ORDERED authorizing the Maricopa County Sheriff to deliver Defendant to the Arizona Department of Corrections.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-429977-001 SE

08/19/2014

Count(s) 2: IT IS FURTHER ORDERED Defendant be released from custody for this count only.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

10:25 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-429977-001 SE

08/19/2014

Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE KAREN A. MULLINS
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)